



Office of Children and Family Services

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Informational Letter

Transmittal:	21-OCFS-INF-06
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies Executive Directors of Detention Programs Youth Bureau Directors Executive Directors of Domestic Violence Programs Child Care Providers Executive Directors of Adult Protective Programs
Issuing Division/Office:	Division of Youth Development and Partnerships for Success Division of Child Welfare and Community Services Division of Child Care Services
Date:	July 23, 2021
Subject:	Introduction of the LGBTQ+ Community Practice Model
Suggested Distribution:	Directors of Social Services Voluntary Agency Program Directors Child Welfare Supervisors Foster Care Supervisors Adoption Supervisors Planning Coordinators Staff Development Coordinators Youth Development Programs Directors of Detention Programs Child Advocacy Center (CAC) Staff Runaway and Homeless Youth Programs Child Care Providers
Contact Person(s):	See Section IV.
Attachments:	Appendix A: <i>LGBTQ + Community Practice Model</i> Appendix B: <i>SOGIE Terms, Concepts, and Definitions</i>

Filing References, if applicable

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
09-OCFS-INF-06 16-OCFS-ADM-02		9 NYCRR 466.13 9 NYCRR 165-1.5	Civil Rights Law § 40-c		https://ocfs.ny.gov/programs/yo

09-OCFS-ADM-07		9 NYCRR 180-1.5			uth/LGBTQ/policies.php
11-OCFS-INF-01		9 NYCRR 180-3.4			
11-OCFS-INF-05		9 NYCRR 180-3.10			
15-OCFS-ADM-05		9 NYCRR 182-1.5			
15-OCFS-ADM-18		18 NYCRR 421.3			
15-OCFS-ADM-23		18 NYCRR 423.4			
16-OCFS-INF-10		18 NYCRR 426.6			
16-OCFS-INF-04		18 NYCRR 441.4			
20-OCFS-INF-10		18 NYCRR 441.22			
		18 NYCRR 441.24			
		18 NYCRR 452.9.			

I. Purpose

The purpose of this informational letter (INF) is to introduce to the New York State Office of Children and Family Services (OCFS) overseen and regulated community the LGBTQ+ Community Practice Model. The *LGBTQ+ Community Practice Model* was designed by OCFS to establish a consistent and affirming approach when engaging members of the lesbian, gay, bisexual, queer (LGBQ) and/or transgender, gender nonconforming, nonbinary (TGNC) community (LGBTQ+) across OCFS programming, policy, and practice in New York State. Additionally, a *SOGIE Terms, Concepts, and Definitions* document has been developed to accompany the practice model.

II. Background

Everyone has a sexual orientation, gender identity, and expression (SOGIE). Like other characteristics of identity, such as race, religion, and national origin, SOGIE can be a source of pride and connect a person to a wider community. However, like other identity-based characteristics, people in the LGBTQ+ community are subject to potential harm from others who do not support, or openly reject, people who identify as LGBTQ+. OCFS has issued various guidance documents to date to enhance SOGIE-related knowledge and practices.

On August 7, 2013, [OCFS amended regulations](#) to Parts 180 and 182-1 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR) and Parts 421, 423 and 441 of Title 18 of the NYCRR to include “sexual orientation” and “gender identity and expression” as protected classes from discrimination across OCFS programming. On September 9, 2015, OCFS issued [15-OCFS-ADM-18, New York State Bill of Rights for Children and Youth in Foster Care](#). This bill of rights states that children and youth in foster care in New York State have the right “to be treated fairly and with respect and to receive care and services that are free of discrimination based on race, creed, color, national origin, age, religion, sex, gender identity or gender expression, sexual orientation, marital status, physical or mental disability, or the fact that [they are] in foster care.”¹ On February 8, 2016, OCFS issued [16-OCFS-ADM-02, Regulations Prohibiting Discrimination and Harassment in Child Welfare and Youth Programs](#), advising local departments of social services (LDSSs) and voluntary agencies (VAs) of regulations that prohibit discrimination and harassment by LDSS and VA staff, volunteers, and certified or

¹ 1 OCFS-2132, *Bill of Rights for Children and Youth in Foster Care*.

approved foster parents on the basis of SOGIE or other aspects of a person's identity.² On March 25, 2016, OCFS issued an Informational Letter ([16-OCFS-INF-04](#)) announcing a SOGIE-affirming resource for families.³ On November 10, 2016, OCFS issued [16-OCFS-INF-10, *Sexual Orientation, Gender Identity, and Gender Expression*](#), in order to provide education and resources on SOGIE terminology to promote a safe and respectful environment for all children, youth, and adults. The 2016 INF included three appendices: A: [SOGIE Terms Desk Aid](#), B: [SOGIE Development Across the Lifespan](#), and C: [SOGIE Quick Tips](#).

The attached *LGBTQ+ Community Practice Model*, created in collaboration with community partners and stakeholders, establishes a vision, mission, and a set of expected outcomes when working with a member of the LGBTQ+ community. This practice model was developed after an extensive review of current best practice, guidance and research on working with LGBTQ+ community members and was created in partnership with the OCFS Youth Advisory Board and Parent Advisory Board, regional office staff and leadership, caseworkers and clinicians, as well as LGBTQ+ community leaders across the state of New York.

III. Program Implications

The attached practice model, organized by age groups, provides guidelines for working with and supporting members of the LGBTQ+ Community. The model moves beyond anti-discrimination, which is required under the law, and moves toward affirmation, celebration and inclusion of people of all SOGIEs. At this time, the model lays out a series of best practices. As trainings and resources become widespread, much of the model will become mandatory practice. OCFS urges all stakeholders to begin the foundational work that is needed to assess readiness and responsiveness to the principles outlined in the model.

IV. Contacts

Any questions concerning this release should be directed to the appropriate following contacts:

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² 16-OCFS-ADM-02, *Regulations Prohibiting Discrimination and Harassment in Child Welfare and Youth Programs*.

³ 16-OCFS-INF-04, *Substance Abuse and Mental Health Services Administration and Family Acceptance Project Release: A Practitioner's Resource Guide: Helping Families to Support Their LGBT Children*.

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<https://ocfs.ny.gov/main/childcare/regionaloffices.asp>

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